The Solicitors' Journal
and Weekly Reporter.

(ESTABLISHED IN 1857.)

LONDON, AUGUST 20, 1921.

ANNUAL SUBSCRIPTION, PAYABLE IN ADVANCE.
£2 12s.; by Post, £2 14s.; Foreign, £2 16s.
HALF-YEARLY AND QUARTERLY SUBSCRIPTIONS IN PROPORTION.

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GENERAL HEADINGS.

Cases Reported this Week.

Current Topics.

The Termination of the War.

WE PRINT elsewhere an Order in Council, made under the Termination of the Present War (Definition) Act, 1918, fixing the 31st inst. as the date of the termination of the war, with a proviso excepting the Ottoman Empire. We have already suggested that it is doubtful whether an Order under the Act, fixing the date of termination of the war generally, can except any particular belligerent state, and probably that question will have to be decided. Assuming that the Order is effective, the 31st August is the date "for the purposes of any provision in any Act of Parliament, Order in Council, or Proclamation, and except where the context otherwise requires, of any provision in any contract, deed, or other instrument referring, expressly or impliedly, and in whatever form of words, to the present war or the present hostilities." In considering the effect on emergency statutes, it will be necessary to have regard to the provision as to continuance contained in the particular statute, with any variation made by the War Emergency Laws (Continuance) Act, 1920. Thus the Courts Emergency Powers Acts will continue for another twelve months, instead of six as originally provided. Of course, the Rent Restriction Act has a date specially fixed—24th June, 1923.

The Law of Property Bill.

THE LAW of Property Bill has failed to secure the attention of the House of Commons. On the 11th inst., Mr. CHAMBERLAIN announced in answer to a question that it would not be proceeded with in the present Session, and subsequently it was formally withdrawn. We shall doubtless be open to the charge of taking a narrow professional view if we suggest that the House of Commons could have been more usefully employed in dealing with this measure than with some measures over which it has spent many days of discussion. As to the real reason which has led to the impossibility of obtaining a hearing in the Lower House for a Bill over which the House of Lords spent much time, and which was set down at an early period of the session, we have no information; but the profession are entitled to a statement on the subject from the Attorney-General. In the probable event of an Autumn Session, we presume the Bill can be re-introduced and proceeded with, and in any case the delay

will give time for reconsideration of its form. We are afraid it has been found, like Robinson Crusoe's boat, too big to launch. Some of its parts, such as the scheme for the abolition of copyholds, could, we imagine, have been passed in separate form without difficulty, and many of the amendments of the Conveyancing and Settled Land Acts are long overdue. Unless the passage of the Bill is safe for the Autumn Session, the better course may be to sub-divide it, and to make Part I a more thorough reconstitution of the principles of the Law of Real Property.

The Supreme Court Officers Bill.

In explaining recently (*ante*, p. 761) the provisions of the Supreme Court Officers Bill, we noted the omission of its introducers to provide any prefatory memorandum. The omission has been supplied to some extent by the issue of a White Paper [Cmd. 1459] from which it appears that under the system of "added years" for pension hitherto in force, the maximum addition has been 20, but in the majority of cases it has been 10 years, and in others 7 or 5. This system is now to be replaced by the scale in the second schedule to the Bill, which, the White Paper states, is "suitable to the circumstances of the Masters, etc., who are usually appointed between 45 and 55 years of age. The system is designed to grant a full pension upon 25 years' service, facilitating retirement from the age of 65 onwards." It is estimated that the imposition of a retiring age will improve the efficiency of the whole body of officers, and thereby enable the same work to be done with a fewer number. In view of this result, large reductions have already been effected. Altogether it is estimated that the saving in cost will outweigh any increased pensions. On the second reading of the Bill in the House of Commons on the 9th inst., the Home Secretary said that the immediate urgency of the Bill was due to the necessity of regularizing the position of the registrars in the Chancery Division and their clerks, it being doubtful whether some of them have the statutory qualifications. Apparently the Bill, though it was not heard of by outsiders till its introduction the other day, is the result of a good deal of negotiation and discussion, and the present holders of office have been consulted and have agreed to its provisions.

War Bonus and Pensions.

In the debate on Monday on the financial resolution required for the new Supreme Court Officers' pension scheme, Mr. Acland came to the help of the Home Secretary and explained why the Chancery registrars are excluded; namely, because they enter at an early age and get a full pension in the ordinary course. This latter debate was made the occasion for discussing the general question of the reckoning of war bonus for pension, and as to this Mr. Hilton Young gave the following explanation:—

> "I welcome this opportunity, although it may be rather an unusual one on a small Bill, of making this explanation of the scheme for the pensions of the Civil Service. Owing to the Statute, the pension has to be based on the emoluments at retirement and they had to take into consideration the bonus. In taking into consideration the bonus it was impossible, for practical reasons, to make it a sliding scale, varying all through the later life of the pensionary with every rise and fall in the cost of living. This percentage was 75 per cent. in a large number of cases, and in what was only a small fraction, 45 per cent. in the rise in cost of living. This 75 per cent. of the bonus was added to the basis of the pension as it was a fair mean to arrive at."

We do not propose at present to add anything to what we have already said as to the increase of civil service salaries, but we may note the comparison drawn in a letter to *The Times* of the 15th inst. between these salaries and academic stipends. Of course, the higher officers of the Supreme Court are outside the comparison. They are men who have started in professional life and taken its risks in the ordinary way, and they obtain their position for proved capacity. Anyone with experience of chamber work will understand this. But the basing of pensions on war bonus is a matter which not unnaturally exercises the House of Commons as the guardians of the public purse. Incidentally, the Deputy Speaker explained to the House that a judge is not an officer of the Supreme Court. This was with reference to compulsory retirement, and presumably also it deprives them of bonus. But we believe the question of judges' salaries is still under consideration. In the general increase that has taken place, the ablest and most important class of "Civil Servants" can hardly be overlooked.

Income Tax Repayment.

It appears that a good deal of difficulty is being experienced in obtaining settlement of claims for refunding of overpaid income tax. The matter, it will be remembered, was discussed before the Income Tax Commission. The existence of the hardship was admitted, and it was stated that the Commissioners had plans in preparation for insuring that all taxpayers should obtain repayment expeditiously—and at frequent intervals if they so desired—on the minimum of evidence necessary for security. Mr. E. R. Harrison, the Assistant Secretary to the Board, explained that the root idea of the scheme was decentralization; that is, the claims branch at Somerset House was to be, for most purposes, abolished, and all claims were to be sent to and settled by the local surveyor of taxes. As a rule, the right to repayment is solely a matter of account; but when a question of principle arises, the taxpayer may have to enforce his claim by legal proceedings, and this also was discussed before the Commission. Mr. Bremner, in his evidence (Fifth Instalment of Minutes, Questions 15910 *et seq.*; 64 Sol. J., p. 306), urged the abolition of such cumbrous proceedings for this purpose as Mandamus and Petition of Right—the only modes, it seems, now available—and the substitution of an Originating Summons before the Revenue Judge, and the Inland Revenue Solicitor agreed that, if necessity for proceedings arose, this would be the most satisfactory course. The Commission, in their report, took a different view, and declined to recommend that there should be a right to enforce repayment by summons, though they did not suggest what the appropriate remedy should be. But, in fact, as we have said, the chief difficulty is administrative, and the Commission expressed the obvious opinion that the taxpayer should have the utmost facility for getting back quickly and easily the money of which he has been temporarily deprived by deduction. The scheme of decentralization, which was promised, is now in operation, and the delays complained of may be due to temporary causes incident to the change of system; but they appear to be so pronounced that drastic intervention on the part of the Board of Inland Revenue is called for. In view of the questions raised by the Revenue Bill this year, it is for the Board and the Surveyors of Taxes to justify their methods of administration.

Supplies of Munitions to Belligerents.

It appears that the Supreme Council of the Allied States sitting at Paris has agreed to maintain an attitude of strict neutrality in the war between Turkey and Greece, but that this is not to impinge rights of freedom of trade. Mr. Chamberlain in the House of Commons on the 11th inst., after making a statement to this effect, added: "This is in strict accordance with the principles of International Law and the traditional practice of this country." Technically, it may be, the observation is correct, but it might have been as well for Mr. Chamberlain to add that International Law in such a matter is a variable quantity, and that it has been said by a leading authority that the question is merely one of the standard of public morality. "If this standard rises, and it becomes the conviction of the world at large that supply of arms and ammunition by subjects of neutrals is apt to lengthen wars, the rule will be that neutrals must prevent such supply" (Oppenheim, International Law, II, s. 350). In view of the advance of public opinion and the efforts which have been already made to prevent the supply of arms by private individuals, it is unfortunate that the Supreme Council should have appeared to sanction this practice, and that it should be stated in the House of Commons by the representative of the Government to be legal without any qualification. Some States no doubt have repudiated any obligation to prevent their subjects

supplying arms to belligerents. Great Britain did so in the Franco-German War of 1870. Other States, such as Switzerland and Belgium in that war, have forbidden their subjects to do so. And in fact, Great Britain has taken a considerable step in the same direction in the Foreign Enlistment Act of 1870. That applies only to the supply of ships and fitting out naval and military expeditions, but the principle of it extends to the supply of munitions of war of all kinds. And seeing that by Art. 8 of the Covenant of the League of Nations the Members of the League "agree that the manufacture by private enterprise of munitions and implements of war is open to grave objections," and the question of such manufacture is now under the consideration of a Commission of the League, the present would have been a fitting occasion for the Supreme Council, or the British Government, to decline to give it any countenance. On the other hand, if the present action is opposed to the spirit of the Covenant, the Supreme Council have recognized the superior fitness of the League for dealing with international complications by referring the Silesian question to it. It should be added that, according to a reply given by Mr. CHAMBERLAIN on Tuesday, the export of poison gas shells is to be prohibited. But in principle there is no distinction between these and "villanous saltpetre."

Lord Bryce on the Canadian Constitution.

EVERYTHING THAT Lord BRYCE writes on questions of English Jurisprudence is of exceptional interest to lawyers who love dispassionate and scientific views on the origin of any of our institutions. Therefore it is with pleasure that we draw attention to a very interesting introductory note which Lord BRYCE contributes to an article on "Canada and Virginia" in the August issue of "United Empire." He points out that the Constitution of Canada may really be traced back to 5th August, 1621, when New Scotland (now Nova Scotia) received its Charter. This Charter came just a year after the landing of the Pilgrim Fathers in Massachusetts Bay, and fourteen years after the English settlement at Jamestown in Virginia, which was the birth of the United States. So that only this short space separates the beginnings of the Dominion of Canada and the great Republic. Curiously enough, the Charter of Nova Scotia expressly provides that the laws of Virginia are to be those of the new Plantation. This is a remarkable anticipation on a small scale of later historical developments on a great scale, for in 1868 the British North America Act, which gave Canada a Federal Constitution, very largely accepted the American model. Indeed, the Confederation of British North America bears a much closer resemblance to the United States than does either the Commonwealth of Australia or the Union of South Africa. Although Nova Scotia has lost economic and political importance with the rise of Quebec, Ontario, and the Great West, yet her primacy in representative institutions has been followed by each of these later founded or later acquired territories. It was in 1721 that the High Court of Nova Scotia was founded, and this has been the model of later Canadian Courts.

The Teaching of Jurisprudence.

THE CONGRESS of Universities throughout the Empire recently presided over by Lord CURZON has just closed its proceedings. It is interesting to notice that one of the topics most discussed was the provision for teaching "Civics, Politics, and Social Science," including Jurisprudence, in our Universities. It was generally agreed that the teaching of theoretical Jurisprudence is quite out of date. A purely formal view of Jurisprudence, whether the analytical system of AUSTIN or the historical system of Sir HENRY MAINE, is hopelessly antiquated in an age when, for at least thirty years, all serious workers in the field of legal research have recognized that we must go to Economic History, to Sociology, to Anthropology, and to Psychology for an understanding of legal principles. Only one treatise on the new lines has yet been given to the world by an English jurist; we refer to the recent work on "Historical Jurisprudence," by the veteran Professor VINOGRADOFF, who, in this treatise, has definitely thrown over his old historical and formal bias in favour of the new anthropological and psychological movement. Spade-work on these lines is needed.

The Lunacy Office.

IT IS announced that the Lord Chancellor does not propose to fill up the office of Master in Lunacy rendered vacant by the death of Sir DAVID BRYNMOR JONES. The question of the dual Mastership in Lunacy was considered by the Royal Commission on the Civil Service and dealt with in their Sixth Report (The Legal Departments), issued in 1915; and this followed on the Report of Lord COZENS-HARDY'S Committee of 1910. The earlier Committee recommended the transfer to the Chancery Division of matters affecting lunatic trustees, and this was effected by the Lunacy Act, 1911. It was suggested that this might lead to a reduction in the Lunacy officers. Before the Civil Service Commission evidence was given by Lord MUIR MACKENZIE and Master THEOBALD, and the point was made that the existence of two Masters in Lunacy led to inconvenient divergencies in practice. The same thing happens sometimes in the Chancery Division, but there, appeals to the Judge and finally to the Court of Appeal are not uncommon, and thus divergencies are rectified.

In Lunacy, appeals are rare, and each Master, it seems, has been practically independent. According to Master THEOBALD: "You have two Masters, each going on his own lines, and very often different lines, doing the work in a different way, requiring different things in point of practice, wanting different kinds of affidavits and so on, drawing orders on quite different lines. . . . What is really wanted is that the whole thing should be put under one control; until that is done the office will never, in my opinion, be adequately and properly administered with first-class efficiency." He also thought that the work could be performed by one Master. The Commission concurred in this view, and recommended that on the next vacancy occurring, one of the two Masterships should be suppressed. This is the recommendation on which the Lord Chancellor now proposes to act; but apparently it will necessitate a certain re-arrangement in the work of the clerks, so that the sole Master shall be able to obtain adequate assistance, and in particular provision must be made for a deputy in case of illness. The existing salary of £2,000 a year will apparently not be touched. It appears to be a survival from old days when the Chancery Masters had the same amount. According to Lord MUIR MACKENZIE, when reforms were introduced in the Chancery Division, the Lunacy Department "lay low," and was not dealt with, and, in view of the increased responsibility to be attached to the office, the Royal Commission did not recommend any reduction.

In connection with the Lunacy Office and the practice there, it may be convenient if we call attention to a matter which sometimes occasions trouble over drafts which the Master has to approve. Where a vendor is a person with regard to whose property a receiver has been appointed under s. 116 of the Lunacy Act, 1890, the purchaser's draftsman, if he goes by the light of nature and of the ordinary precedent books, will probably describe him as a person of unsound mind not so found, and will refer to the Lunacy Act, and to the approval of the "Masters in Lunacy," and make various other allusions to lunacy; and he will not unnaturally consider that this is necessary in order to make it clear that the execution of the conveyance by the receiver gives his client a good title. But, according to the present practice, such express allusions to lunacy are forbidden, the idea being, it is presumed, that the vendor may not be a lunatic, or of unsound mind, but only "through mental infirmity arising from disease or age incapable of managing his affairs." Hence, before the draft can obtain the approval of the Masters, all references to lunacy, including the description of the Masters as the Masters in Lunacy, must be struck out, and the condition

of the party judiciously concealed. Officially he is a "patient" and not a lunatic. And this extends to the statutes themselves, which must not receive their proper titles—Lunacy Act, 1890, &c.—but must be described as 53 Vict., c. 5, &c. The same purism is observed even where other statutes have to be referred to, so that a summons under the Lunacy Act and Trustee Act, 1893, has to refer to the former as 53 Vict., c. 5, notwithstanding that the latter appears under its proper title.

The whole thing is a little ridiculous and we do not know to whom the system is due; but it will be found adopted in the forms to the fifth edition of HEYWOOD & MASSEY'S Lunacy Practice, and the draftsman who wishes to get his draft through without trouble should refer to those forms. We regret that, notwithstanding this solicitude for the feelings of patients and their friends, the world generally still follows the example of the Legislature and talks about Lunacy Acts and Masters in Lunacy; but perhaps the title should be "Masters in Patiency."

Bankrupt Tenants and the Rent Restriction Act.

IN a recent decision of the Court of Appeal, *Reeves* v. *Davies* (1921, 2 K.B. 486), Lord Justice SCRUTTON pointed out that the persons responsible for the drafting of the Rent Restriction Act, 1920, "have shown a great lack of consideration of the results of various events which may be expected to happen in some cases of tenancy." "I am amazed," the learned Lord Justice went on to say, "that it never appears to have struck them to consider what was to occur in the case of bankruptcy. There is nothing in the Act to show what is to happen in the case of a tenant becoming bankrupt. Questions may arise as to what would happen in similar circumstances in the case of a sub-tenant, but it is not now necesary to consider that point."

The draftsman of the statute, we fancy, might make many replies to this criticism. He might point out that the Legislature has to enact a great many statutes in the course of the year, and that this particular statute was an emergency statute intended to expire in 1923, so that it was not possible for Parliament to devote the whole session to its consideration—as would be necessary if it contained some hundreds of sections and dealt with every possible contingency that might arise. He might also point out that it is easy to be wise after the event; the judge before whom points have actually arisen considers them natural and inevitable points; but it does not at all follow that he would have foreseen them had not constant handling of the statute in court, and constant attention to arguments on innumerable minor issues, suggested them to him. But—what is perhaps a still stronger reply—the draftsman may very reasonably say that it was not his business to save the courts the trouble of thinking or of applying plain rules of law to normal cases. Parliament has done enough, he might contend with great force, when it has created a statutory tenancy and declared its main incidents. The application of the old principles of law to this new subject-matter by the ordinary rules of legal interpretation is the duty of the judge who administers the statute.

How far such a reply as this would really be valid, of course, depends on the logical consistency of the statute as drafted. If the draftsman knows his business, he should make it clear that the new situation created by his legislation falls clearly within some existing sphere of law so that no one who proceeds to construe the Act can have any doubts of the principles which apply. For example, in the case of the Rent Restriction Act, much would have been gained in clearness if the statute had begun by saying that it created a new form of statutory tenancy which was to be subject to all the ordinary rules of landlord and tenant law. It never does say this, but leaves it to be inferred from the marginal rubric to the fifteenth section, namely, "Conditions of the Statutory Tenancy." It might then have gone on, in its second clause, to set out the circumstances in which the statutory tenancy is to arise. This it nowhere does. To this day, although the courts have taken many things for granted and read innumerable implications into the statute, it has nowhere been definitely decided, after judicial consideration directed to this issue alone, whether the statutory tenancy can exist in the absence of something in the nature of a continuing interest on the part of the tenant, such as a tenancy from year to year, a monthly tenancy, a weekly tenancy, or a tenancy at sufferance or at will. It has been assumed by the textbook writers, and half-assumed without argument in the courts, that a statutory tenancy can arise where a tenant for a fixed term, say three years, holds over against the will of the owner at its expiry. The draftsman might have made this clear one way or the other. Again, in a third clause the statute might then have gone on to set out the variations in the normal rights of landlord and tenant which it introduces in the case of a statutory tenancy. Subsequent clauses might have dealt with procedure.

Such a statute, so arranged, would have been a simple and intelligible piece of work. It would not have been any longer than the existing short Act. It would have left nothing for the courts and for the legal advisers of clients to do except simply to apply in every circumstance that arises the settled principles of landlord and tenant law, subject to the new statutory modifications. But the draftsman did not adopt that course. He preferred to draft a very confused piece of legislation which gave the judges and practitioners little or no guidance as to the proper method of interpreting this new creation of the Legislature. The result is that the judges have had to begin by groping after the meaning and scope of the Act. As this is done by a number of courts acting more or less contemporaneously, with judicial minds of very different orders and types, the result is that the real character of the statute has very gradually emerged, that many judges have only partially apprehended it, and that some probably quite erroneous decisions on details of the statute have been carried too far for reconsideration.

The case of *Reeves* v. *Davies* (*supra*) illustrates well the sort of unnecessary difficulties which have thus arisen. Here the premises in dispute were a dwelling-house and shop within the statutory limits of value. They were let on a quarterly tenancy to a tenant who during the continuance of the tenancy became bankrupt. The Official Receiver gave notice of his intention to disclaim the tenancy agreement. The bankrupt continued in occupation of the premises after adjudication and after the disclaimer, and sent a cheque for rent which the landlord refused. The landlord then claimed possession, and was met by the plea that the tenancy was a statutory tenancy, and that the defendant could not be ejected by order of the court except in one of the cases permitted by s. 5 of the Act. The plea was rejected both by the trial judge and by the Court of Appeal, and the landlord recovered possession.

Now, the difficulty in this case is caused solely by the wording of the statute. For s. 5 says that "no order for the recovery of possession" by a landlord against the tenant continuing in possession of a house protected by the statute shall be made by the court except in certain cases. These cases, admittedly, did not include the present. It was, therefore, a plausible contention that the court had no jurisdiction to make an order, on the well-known principle laid down in *Barton* v. *Fincham* (1921, 2 K.B. 291), in *Hylton* v. *Heal* (1921, 2 K.B. 438), and in the older case, decided under an earlier statute, of *Hunt* v. *Bliss* (1919, 36 T.L.R. 74), applied once more in somewhat sweeping circumstances in *Remon* v. *City of London Real Property Co.* (1921, 1 K.B. 49). Put briefly, the point of all these cases may be said to be this, that a person in occupation of premises protected by the statute, if once he has been in lawful possession as a tenant, and if he has never willingly parted with the possession, however wrong he may be at common law, must, while remaining in possession, be regarded as a tenant continuing in possession who can only be ejected by order of the court in one of the statutory cases enumerated in s. 5. It requires no great stretch of logic to contend that a bankrupt, remaining in possession,

whose trustee has disclaimed, has likewise been once a tenant in lawful possession, and has never willingly parted with the possession: if so, he is protected.

There are several fallacies in this contention, and, naturally the court was acute enough to see them. To begin with, even accepting the principle as above stated to be the correct interpretation of the statute, it nevertheless seems clear that a bankrupt in such circumstances has not "continued in possession." A tenant, surely, may cease to continue in possession in any one of the following ways: He may actually go out and abandon the premises. He may surrender his interest to the landlord for a consideration, and thereby cease to continue in legal possession. He may assign it to a third party. He may commit some act which the law treats as an assignment of his property and possession to another by operation of law, *i.e.*, as here, by becoming a bankrupt, the effect of which is that his lease vests in the trustee. The simple interpretation of the statute, then, seems to be that in all these cases the tenant does not continue in possession, and so is not one of the persons protected by the statute. In substance, though each learned judge in the Court of Appeal gave his reasons in a different form, this was the view taken by the court, and the ground of its decision. The tenant lost his legal possession on the vesting of his lease in the trustee, and the latter had assigned (by disclaimer) the lease.

But this view, simple though it is, seems inconsistent with *Barton* v. *Fincham* (*supra*). It was there held that a tenant who has accepted a payment from the landlord to go out, and has given notice to quit, but has not gone out, is a tenant continuing in possession, and so protected by the statute except in the statutory cases enumerated in s. 5. Yet such a tenant has clearly surrendered or assigned in equity to the landlord the legal possession of the tenant's interest in the property. In fact, the tenant in such a case no more remains in possession than if the tenant has in fact assigned to a third party for a consideration (a case not yet decided by any court), or been subjected to a compulsory assignment to his trustee in bankruptcy by operation of law as in the present case. On principle, then, there seems no difference between the two cases, but they have been differently decided by the Court of Appeal. One submits, with great diffidence, that *Barton* v. *Fincham* was wrongly decided. The court omitted to note that the tenant's agreement to surrender amounted in equity to a surrender of the tenancy interest, so that the tenant had no longer anything to protect.

Res Judicatæ.

"Free from Income Tax."

It was pointed out by Parker, J., in *Bowles* v. *Attorney-General* (1912, 1 Ch. 123) that super-tax was an additional income tax and in *Brooke* v. *Inland Revenue Commissioners* (1918, 1 K.B. 257) Swinfen Eady, L.J., took the same view, and said that no distinction could be drawn between super-tax and the rest of income tax. Hence it follows that a gift by will of an annuity "free from income tax" must entitle the annuitant to receive it free from super-tax, as well as ordinary income tax, and so Astbury, J., held in *Re Crosse* (1920, 1 Ch. 240). It is a little difficult to distinguish the case from *Re Crawshay* (Weekly Notes, 1915, 412) where an annuity was given "free of all deductions, including income tax," but it must be taken that that decision is confined to the special circumstances of the case. In view of the two decisions it is prudent, however, for the draftsman expressly to refer to super-tax, if this also is to be borne by the residuary estate.

Bequests to Children who predecease the Testator leaving issue.

When a testator desires that a legacy or share of residue given to a child shall not lapse if the child predeceases him leaving issue, he can either direct that it shall go to the child's personal representatives as part of his estate, or substitute the children of the child. Unless the financial position of the child can be foreseen with certainty, the former is a hazardous provision, for it makes the legacy liable to the child's debts. This, however, is the plan adopted in the statutory provision for such a case contained in s. 33 of the Wills Act, 1837. The bequest is to take effect as if the death of the child had happened immediately after the death of the testator. It follows, as was pointed out by Stirling, L.J., in *Re Scott* (1901, 1 Q.B., p. 239) that the legacy is subject to any disposition, voluntary or involuntary, which takes effect during the life of the child, and amongst other instances, he said: "If the child died an undischarged bankrupt, it will vest in the trustee in bankruptcy." There appears, however, to have been no express decision to this effect until that of Sargant, J., in *Re Pearson* (1920, 1 Ch. 247). It was argued that under the Bankruptcy Act, 1914, the trustee in bankruptcy only takes property which devolves on the bankrupt "before his discharge." But Sargant, J., declined to allow that death was a discharge for this purpose. It is singular, however, that a statutory provision which, it may be presumed, was designed for the benefit of children should thus be defeated. It is, of course, well settled that the provision does not apply to children as a class: *Olney* v. *Bates* (3 Drew, 319); *Browne* v. *Hammond* (Johns 210).

CASES OF THE WEEK.

Vacation Court.

WARD *v.* **THE LAW SOCIETY.** 10th August.

Solicitor—Unauthorised Person—Contempt of Court—Attachment—Slip in Order Directing Writ of Attachment to Issue—Application to have Writ Set Aside.

The Law Society obtained a rule nisi for attachment for contempt of court against E.J.W., a solicitor, who was struck off the rolls many years before. E.J.W., it appeared, had been employed by a solicitor as managing clerk for certain specified matters only, and the complaint against him was that he had used his name in a number of other cases of which the solicitor had never heard, and had given his own address as the solicitor's address for service. A Divisional Court found that all but one of the specific cases with which E.J.W. was charged were proved, but in drawing up the order it appeared that the fact that one charge was not proved was not mentioned in it.

Held, that the omission in the order, not being a material omission, was not a ground for setting aside the writ of attachment.

Re Holt (11 Ch. Div. 168) *distinguished.*

Appeal by E. J. Ward from an order of the Divisional Court made the 27th July on an application by the Law Society, who had obtained a rule

nisi for attachment for contempt of court against the appellant, a solicitor who was struck off the rolls many years ago. The Divisional Court (Bray, Avory and Sankey, JJ.) found that the appellant had been guilty of the conduct complained of and directed that he should go to prison for six months and pay the costs. The appellant on the following day applied in person to the Court of Appeal for a stay of execution of the writ of attachment which the Divisional Court had ordered to be issued against him. That application was refused. Ward now applied to the Vacation Court asking that the writ of attachment should be set aside on the ground that the order for attachment as drawn up was invalid, and therefore the writ was ineffectual and must be discharged as irregular. The application was supported by an affidavit in which the deponent stated that he had been charged with acting as a solicitor, he being an unauthorised person in five specified actions. The court found that the charge as to one of these was not proved. Yet the order as drawn up made it appear that he was attached in respect of misconduct proved in reference to all the charges. There was no doubt power to put a slip in an order right under the Slip Order, but that order could not be invoked where the liberty of the subject was involved by the order made. In such a case there was no jurisdiction to waive any technicality and amend the order. The order being ineffectual, the writ founded on the order was ineffectual also. He relied on *In re Holt* (11 Ch. Div. 168). Counsel on behalf of the Law Society submitted that the order could be amended and that the slip having led to no miscarriage of justice the writ of attachment could not be set aside.

BRANSON, J., said it was clear that there had been a slip in the drawing up of the order. The order recited a complaint that Ward had improperly acted as a solicitor in five actions. The Divisional Court decided that he had been guilty of contempt in four only, but the order as drawn up spoke of five actions. On this appeal from that order the Law Society while appearing by counsel, did not propose to answer the affidavit filed by Ward in support of the present application, and therefore it must be taken that the slip was admitted. In *Holt's Case* the slip was vital to the validity of the order. James, L.J., in that case said he must hold that "the omission was a serious one." Here that was not so, for the omission to state that one of the charges against him was not proved did not affect the validity of the order. It had been laid down in numerous cases that irregularities of one sort and another in the drawing up of the order that did not affect the result arrived at by the court were not grounds for setting aside a writ of attachment. The appeal failed.—COUNSEL, for the appellant, *Hugo Marshall*; for the Law Society, *Hon. S. O. Henn-Collins.* SOLICITORS for the Appellant, *William Drake*; for the Law Society, *E. P. Cook.*

[Reported by ERSKINE REID, Barrister-at-Law.]

CASES OF LAST SITTINGS.

House of Lords.

In re **CLIFFORD AND O'SULLIVAN.** 16th June, 7th, 8th, 11th, 12th and 29th July.

MARTIAL LAW—IRELAND—MILITARY COURT—JURISDICTION—SENTENCE—PROHIBITION—RIGHT OF APPEAL—"CRIMINAL CAUSE OR MATTER"—JUDICATURE ACT (IRELAND) 1877 (40 & 41 Vict., c. 57), s. 50.

By a proclamation signed on 10th December, 1920, by the Lord Lieutenant of Ireland, County Cork and the adjacent counties were declared to be under martial law. The appellants, who were civilians, in April, 1921, were arrested near Mitchelstown and brought before a Military Court summoned by the General Officer commanding in Cork, and were found guilty of being improperly in possession of arms and sentenced to death subject to confirmation. The appellants thereupon obtained a rule nisi for a prohibition directed to the Military Court and to the Commander in Chief and the General Officer Commanding in Cork to prohibit them from further proceeding in the matter on the ground that the Military Court was illegal, and had no jurisdiction to proceed with the trial of the appellants or to adjudicate in any matter in relation to them. Powell, J., in the Chancery Division, following Rex *v.* Allen (1921, 2 Ir. R. 241; *ante*, p. 358), *held that, as a state of war existed in Cork, the civil courts had no jurisdiction to interfere with the proceedings of the military authority. On appeal, the objection was taken on behalf of the respondents that this was a criminal cause or matter within s. 50 of the Jurisdiction Act (Ireland) 1877, which is similar in terms to s. 47 of the Judicature Act, 1873, and that no appeal lay against any judgment of the High Court therein. Upon the appeal to their Lordships' Bar the same objection was taken, but it was arranged that the objection should stand over until the appeal was heard upon its merits. After consideration,*

Held (Lord Sumner dissenting), that the Court of Appeal in Ireland and this House had jurisdiction to entertain the appeal, as Powell, J., in refusing the writ of prohibition was not adjudicating in a criminal cause or matter, inasmuch as the so-called military court was not a court in the legal sense, but merely a tribunal to consider matters arising under the proclamation and advising the commanding officer thereon.

Held further, by all their Lordships that a writ of prohibition should not be granted because (1) *a writ ought only to issue to a court having some jurisdiction which it was attempting to exceed, and* (2) *because the so-called court, having completed their investigation and reported to the Commanding Officer, nothing remained to be done by them and a writ of prohibition directed to them would be of no avail.*

Appeal from a decision of the Court of Appeal in Ireland from a judgment of Powell, J., under circumstances sufficiently set out in the head note.

After consideration their Lordships dismissed the appeal.

Lord CAVE in the course of his judgment said that on the 10th December, 1920, the Lord Lieutenant issued a proclamation setting forth that owing to the state of unrest in Ireland the Counties of Cork, Tipperary, Kerry and Limerick were and until further orders should continue to be under and subject to martial law. On the 12th December, 1920, the Commander-in-Chief in Ireland (General Sir Nevil Macready) issued a proclamation appointing military governors for the administration of martial law in the above counties. Before the military governor for Cork County and City (Major-General Sir E. Strickland) the appellants were charged with being improperly in possession of arms and ammunition and sentenced to death, the sentence being subject to confirmation. The writ of prohibition was obtained and discharged, and the Court of Appeal in Ireland dismissed an appeal on the ground that, it being in a criminal cause or matter, they had no jurisdiction to entertain it. The case was then taken to their Lordships' House and the question of competency was directed to be first tried on an objection taken by the counsel for the Crown. But on the matter being opened, it appeared that it would be difficult for their Lordships to deal with the objection without being fully informed on the matters in dispute, and it was arranged that the preliminary objection should stand over to be heard along with the appeal. Cases were accordingly lodged and the appeal came on for consideration and was fully argued by counsel on both sides. His Lordship then dealt with the preliminary objection and said he felt no doubt that both the Court of Appeal and this House had jurisdiction to entertain the appeal. Section 47 of the Judicature Act, 1873, which was similar in terms to s. 50 of the Irish Act, 1877, in prohibiting an appeal from any judgment of the High Court "in any criminal cause or matter," had been considered in many cases, including *Ex parte Woodhall* (20 Q.B.D. 832) and recently in *Provincial Cinematograph Theatres Ltd.* v. *Newcastle-upon-Tyne Profiteering Committee* (*ante*, p. 661), and it had been held that the words "judgment of the High Court in any criminal cause or matter" should be construed in a wide sense and as including any decision with regard to proceedings the subject-matter of which was criminal. But however wide those words were, they could not apply to the decision of Powell, J., who, in refusing the writ of prohibition, was not adjudicating in "a criminal cause or matter," inasmuch as the so-called military court was not a court in any legal sense, and the charges against the appellants were not in any legal sense charges of crime, having regard to the fact that the court sat, not as a tribunal for hearing charges or crime, but as a military committee for considering a matter arising under a proclamation and advising the commanding officer thereon. It was unnecessary to consider whether prohibition could in any case be granted against a body improperly setting itself up as a court with legal authority to try cases and pass judgments, since in the present case the body which it was sought to prohibit, though called a military court, neither possessed nor claimed any such authority. A further difficulty was caused to the appellants by the fact that the so-called court having completed their investigation and reported to the commanding officer, nothing remained to be done by them, and a writ of prohibition directed to them would be of no avail. These considerations being sufficient to dispose of the appeal, it was neither necessary nor desirable to express any opinion upon the merits, and he moved that the appeal should be dismissed with costs.

Lords DUNEDIN, ATKINSON and SHAW agreed with Lord Cave on both points.

Lord SUMNER in the course of his judgment said he only differed on the question of the competency of the appeal. It seemed to him that the facts brought it within the prohibition of the statute. At any rate, the officers who constituted the military court were now completely *functus officio*, and as a tribunal were definitely dispersed so far as this case was concerned. He agreed that the appeal should be dismissed.—COUNSEL: for the appellants, *Sir John Simon*, K.C., *Michael Comyn*, K.C., *James Comyn*, *McCarthy* (the last three of the Irish Bar) and *Richard O'Sullivan*; for the respondents, *Serjeant Hanna*, *Serjeant Murphy* and *Lipsett* (all of the Irish Bar). SOLICITORS: for the appellants, *H. Z. Deane* for *James Skinner & Son*, Mitchelstown, co. Cork; for the respondents, *The Treasury Solicitor* for *Chief Crown Solicitor*, Dublin.

[Reported by ERSKINE REID, Barrister-at-Law.]

Mr. John Kent Nye (78), of Montpelier Lodge, and late of Ship-street, Brighton, solicitor, an amateur actor in his younger days, left estate of gross value £37,484.

High Court—Chancery Division.

In re **WILCOCKS: WARWICK** *v.* **WILCOCKS.** P. O. Lawrence, J. 15th July.

Will—Legacy—Bequest of Stock—General or Specific—Ademption.

A bequest of a specific sum of stock is a general and not a specific legacy, unless there is something on the face of the will to show that the testator intended it to be specific.

Robinson *v.* Addison (1840, 2 Beav. 512) *followed.*

Jeffreys *v.* Jeffreys (1723, 3 Atk. 120) *disapproved.*

This was an originating summons to determine whether a certain legacy was general or specific. The testatrix made her will in 1918 and died in 1920. She appointed her husband her executor, and bequeathed to her father and her mother respectively certain specified sums of Queensland and Victorian stocks which she had at the date of her will, but which she sold in 1919, investing the proceeds of the sale in land. The question was whether these legacies had been adeemed. It was contended on behalf of her parents that they were general legacies and Hawkins on Wills was referred to, 2nd edition, at p. 352; also *Robinson* v. *Addison* (*supra*) was relied upon. The other side relied on *Jeffreys* v. *Jeffreys* (*supra*), which was not referred to in *Robinson* v. *Addison* (*supra*), and which they said had never been overruled or disapproved of by the court.

P. O. Lawrence, J., after stating the facts, said: Both the bequests to the plaintiffs are general legacies. The rule is correctly stated in Hawkins on Wills, 2nd edition, p. 352, where that learned author queries the soundness of the decision in *Jeffreys* v. *Jeffreys* (1723, Atk. 120). In my judgment a bequest of stock, whether in round numbers or in the exact pounds, shillings and pence, which a testator had at the date of his will is a general legacy, unless there is something else on the face of the will to show that the testator intended the gift to be specific.—Counsel: *Jenkins*, K.C., and *A. Adams*; *Owen Thompson*, K.C. and *H. J. Mackay*. Solicitors: *Sydney James*; *Vizard, Oldham & Co.*

[Reported by L. M. May, Barrister-at-Law.]

In Parliament.

House of Lords.

On 15th August the House negatived the Commons' amendment introducing a new clause making any act of gross indecency between female persons a misdemeanour, and also the amendment giving a Judge power to order the trial of a charge of incest to be held *in camerâ*.

Questions.

House of Commons.

SAFEGUARDING OF INDUSTRIES BILL.

Sir A. Warren (Edmonton) asked the President of the Board of Trade, having regard to provisions in the proposed Safeguarding of Industries Bill to impose a duty equal to one-third of the value of the goods, what system of calculation he proposes to adopt to meet the variations of exchanges of the different countries concerned?

Sir W. Mitchell-Thomson: The same system will be adopted in regard to the duties provided for in the Safeguarding of Industries Bill as obtains in regard to the *ad valorem* duties imposed by the Finance (No. 2) Act, 1915, *i.e.*, invoices in foreign currency will be converted into sterling at the rate of exchange current on the date of the importing ship's report. (10th August.)

CROWN LANDS (SALES).

Sir W. de Frece (Ashton-under-Lyne) asked the Minister of Agriculture what sales have taken place of Crown lands within the last 10 years, for what purpose, and for what reasons; how much money has been realised and what use has been made of it after realisation; what authority decides whether Crown lands should, or should not, be sold; and whether there is any official or body exercising any power to prohibit a sale?

Major Barnston: I have been asked to reply. Particulars of the sales of Crown property are scheduled to the Annual Reports to Parliament of the Commissioners of Woods, and if my hon. Friend so desires I will furnish him with copies of these Reports for the last 10 years. During the 10 years to 31st March last, the amount realised from sales was about £853,000 which was credited to the capital account of the Land Revenues. In the same period, more than that sum was re-invested as required by the Land Revenue Acts. The net income is paid into the Exchequer. The sales took place in accordance with the policy that has been pursued by the Commissioners of Woods for many years of selling outlying properties or estates which it is not considered profitable to retain. The approval of the Treasury is necessary for sales. (11th August.)

SPARKS FROM ENGINES (COMPENSATION FOR DAMAGE).

Lieut.-Colonel W. Guinness (Bury St. Edmunds) asked the Minister of Transport whether he is aware that fires, involving in some cases valuable agricultural produce, extending as far as 600 yards from the railway line, have been started from sparks from engines of the Great Eastern Railway Company; whether in these cases the company are exempted from liability to pay more than £100 in damages; and, if so, whether he proposes to amend the law in this respect, or take steps to ensure that where railway companies burn wood a suitable device shall be attached to the engines to prevent sparks escaping and causing serious damage to the surrounding country?

Sir E. Geddes: The answer to the first part of the question is in the negative. As regards the second part of the question, this is a question of interpretation of the law. I know of no proposals at present to introduce legislation on this matter. (16th August.)

Bills Withdrawn.

On 15th August the Order for the Second Reading of the Law of Property Bill [*Lords*] was read and discharged; Bill withdrawn.

On 17th August, in view of the Lords' rejection of the new clause in the Criminal Law Amendment Bill, the Bill was considered to be contentious and was dropped.

It is unnecessary to refer to Bills which are in their concluding stages and have received or will shortly receive the Royal Assent.

New Orders, &c.

Proclamations.

Proclamations, dated 10th August, and printed in the *Gazette* of 12th August have been issued:—

Revoking the Proclamation of the 3rd day of August, 1914, extending the Services of time-expired men in the Royal Navy.

For releasing officers and men of the Royal Naval Reserve and Royal Naval Volunteer Reserve, and men of the Royal Fleet Reserve, from actual service, except as further occasion may require.

Orders in Council.

TERMINATION OF THE WAR.

Whereas by the Termination of the Present War (Definition) Act, 1918, it is provided that His Majesty in Council may declare what date is to be

treated as the date of the termination of the present War, and that the date so declared shall be as nearly as may be the date of the exchange or deposit of ratifications of the treaty or treaties of peace:

And whereas ratifications of treaties of peace with Germany, Austria, Hungary and Bulgaria have been deposited on behalf of His Majesty:

Now, therefore, His Majesty, by and with the advice of His Privy Council, is pleased to order, and it is hereby ordered that the 31st day of August, 1921, shall be treated as the date of the termination of the present War: that is to say, the day at midnight on which the present War will end.

Provided that nothing in this Order shall affect the relations between His Majesty and the Ottoman Empire until ratifications of a treaty of peace with that Empire shall have been exchanged or deposited.

10th August. [*Gazette*, 12th August.

Orders have also been made as follows:—

The Eastern African Court of Appeal Order in Council, 1921. The Order extends to the Colony and Protectorate of Kenya, the Uganda Protectorate, the Nyasaland Protectorate, the Zanzibar Protectorate and the Tanganyika Territory, and constitutes a Court of Appeal for those territories to be called the Court of Appeal for Eastern Africa.

The Eastern African (Appeal to Privy Council) Order in Council, 1921, regulating Appeals from the Court of Appeal for Eastern Africa.

Both orders are dated 14th July, and are printed in the *Gazette* of 22nd July.

An Order dated 14th July (*Gazette*, 19th July), applying as from 13th June the provisions of Section 91 of the Patents and Designs Act, 1907, as amended by the Patents and Designs Act, 1914, and the Patents and Designs Act, 1919, to Bulgaria.

An Order dated 10th August (*Gazette*, 16th August), extending to Cyprus and Gibraltar the provisions for enforcement and judgments of Part II of the Administration of Justice Act, 1920.

An Order dated 10th August (*Gazette*, 12th August), fixing 26th July as the date of the termination of the War with Hungary.

The Treaty of Peace (Hungary) Order, 1921, dated 10th August (*Gazette*, 12th August), establishing a Clearing Office as regards Hungary.

Legal News.

Dissolution.

RICHARD ALFRED PINSENT, FRANK EDEN SMITH, HENRY ROBERT HODGKINSON and ROY PINSENT, Solicitors, Bennett's-hill, Birmingham ("Pinsent & Co."). 5th day of August, 1921. By the retirement through ill-health of the above-named Frank Eden Smith. The practice will be continued by the other partners. [*Gazette*, August 16th.

Mr. James Mulligan, K.C., who has been a Judge of the Norfolk County Courts since 1906, has tendered his resignation, which will, it is understood, take effect at or before the end of the present month. Judge Mulligan, who is a bencher of Gray's Inn, was called to the Bar in 1874. He was educated at Queen's University, where he obtained the gold medal in Classics in 1871.

Winding-up Notices.

JOINT STOCK COMPANIES.

LIMITED IN CHANCERY.

CREDITORS MUST SEND IN THEIR CLAIMS TO THE LIQUIDATOR AS NAMED ON OR BEFORE THE DATE MENTIONED.

London Gazette.—FRIDAY, August 12.

THE OIL REFINERS LTD. Aug. 31. L. J. R. King, 88-90, Chancery-lane.

EASTGATE MILLS LTD. Sept. 26. H. A. Sharp, 120 Colmore-row, Birmingham.

THE SKIPTON AUCTION MART CO. LTD. Sept. 14. D. Armstrong, Willow Bank, Skipton.

THE RUSTON WORSTED CO. LTD. Sept. 14. S. Sutcliffe, 6, Harrison-rd., Halifax.

London Gazette.—TUESDAY, Aug 16.

THE AFRICAN BOATING CO. (1918) LTD. Sept. 13. A. Hunt, 3, Fenchurch-st.

JAMAICA COPRA AND ESTATES CO. LTD. Sept. 30. J. W. Youd, 234, Winchester house, E.C.

THE CHINAWAYS SYPHON CO. LTD. Sept. 3. E. K. Bishop, 22, Walbrook.

WILLIAM DULLEY AND SONS, LTD. Sept. 5. E. H. Dulley, 52, Bedford-row.

Resolutions for Winding-up Voluntarily.

London Gazette.—FRIDAY, August 12.

The Bexhill Libraries, Cambridge Branch, Ltd.
African Lloyd Lighterage & Storage Co. Ltd.
Stanley Hughes Ltd.
Foreign Agencies Ltd.
Sutton-in-Ashfield Motor and Electrical Engineering Co. Ltd.
The Lancashire, Cheshire and North Wales Colliery Owners' Pitwood Association Ltd.
The New Rhosydd Slate Quarry Co. Ltd.
The Barry Island Pavilion and Winter Gardens Ltd.
Keighley Haulage & Chara Co. Ltd.
Mount Pleasant Room & Power Co. Ltd.
Henry J. Gough Ltd.
Ninette Ltd.
Emoh Products Ltd.
The Oil Refiners Ltd
Otford Small Holders Ltd.
Kershaw and Bamford Ltd.
S. Stross & Sons Ltd.
Oldham, Ashton & Hyde Electric Tramway Ltd.
The Carlisle Waste Paper Co. Ltd.
The London & Provincial Novelties Pleasure Co. (Dewsbury) Ltd.
Bronte Chara Co. Ltd.
Hale Pearn & Co. Ltd.

London Gazette.—TUESDAY, August 16.

Prenton Bowling Green Co. Ltd.
Marlborough Hosiery Manufacturing Co. Ltd.
Allen's Drug Stores Ltd.
The African Boating Co. (1918) Ltd.
Jamaica Copra and Estates Co. Ltd.
Parcels Ltd.
The Redington Shipping Co. Ltd.
Berlyns Ltd.
Lancashire Trading Co. Ltd.
S. Reggel Ltd.
The Chinaways Syphon Co. Ltd.
William Nicholson & Sons Ltd.
Morgan & Co. (Macsteg) Chemists Ltd.
The Danetree Picture House Co. Ltd.
C. A. Carlin Ltd.
West Highlanders Ltd.
King Cross Manufacturing Co. Ltd.

Bankruptcy Notices.

London Gazette.—FRIDAY, August 12.

RECEIVING ORDERS.

THE ALBION MOTOR GARAGE, East Grinstead. Tunbridge Wells. Pet. July 13. Ord. Aug. 10.

BERKLEY, GEORGE, Yeovil. Yeovil. Pet. July 26. Ord. Aug. 9.

BLEARS & Co., H., Manchester. Manchester. Pet. July 7. Ord. Aug. 10.

BRADLEY, ALBERT, Bilston. Wolverhampton. Pet. Aug. 10. Ord. Aug. 10.

BROWN, S., Brixton. High Court. Pet. June 29. Ord. Aug. 8.

CHESTER, THOMAS H., Edmonton. Edmonton. Pet. Aug. 10. Ord. Aug. 10.

COMMONS, WILLIAM G., Northolt. Windsor. Pet. July 16. Ord. Aug. 9.

COOPER, FRANK, Plymouth. Plymouth. Pet. July 11. Ord. Aug. 9.

DELL, JOHN and DELL, WILLIAM, Klikhampton, Cornwall. Barnstaple. Pet. Aug. 8. Ord. Aug. 8.

EAST, FRED, Boston, Lincs. Boston. Pet. Aug. 8. Ord. Aug. 8.

FOWLER, JOHN A., Falmouth. Truro. Pet. Aug. 8. Ord. Aug. 8.

GOSPEL, HARRY, Scarborough. Scarborough. Pet. Aug. 10. Ord. Aug. 10.

HAMMERSON, BESSIE, West Kensington. High Court. Pet. July 6. Ord. Aug. 10.

HAMMERSON, ISIDORE, West Kensington. High Court. Pet. July 6. Ord. Aug. 10.

KITSON, WILLIAM, Featherstone. Wakefield. Pet. Aug. 8. Ord. Aug. 8.

LAMBERT, TOM, Hull. Kingston-upon-Hull. Pet. Aug. 10. Ord. Aug. 10.

MAWBY, WILLIAM, Hinckley. Leicester. Pet. Aug. 10. Ord. Aug. 10.

MILLS, EDITH A., Brockley. High Court. Pet. Aug. 8. Ord. Aug. 8.

NEWBY, BERTIE J., Malton. Dewsbury. Pet. Aug. 10. Ord. Aug. 10.

PENTON, FREDERICK, Winchester. Winchester. Pet. July 26. Ord. Aug. 9.

SEGGER, WILLIAM H, Southfields, and FRANKLIN, HARRY F., Merton Park. Wandsworth. Pet. Aug. 9. Ord. Aug. 9.

SELLERS, SQUIRE, Shepperton. Wandsworth. Pet. Aug. 9. Ord. Aug 9.

TRACEY, LEWIS and TRACEY, HAROLD R., Nuneaton. Coventry. Pet. Aug. 8. Ord. Aug 8.

TURNBULL, JAMES J, Caerwent, Mon. Newport (Mon). Pet. Aug. 8. Ord. Aug. 8.

WILLIAMS, GLYNNE, Liverpool. Liverpool. Pet. July 15. Ord. Aug. 9.

London Gazette.—TUESDAY, August 16.

RECEIVING ORDERS.

BATTY, WILFRED, Wadsley Bridge. Sheffield. Pet. Aug. 11. Ord. Aug 11.

BENNEWORTH, A. C., Sunderland. Sunderland. Pet. Aug. 12. Ord. Aug. 12.

BLACK, MORRIS, Manchester. Manchester. Pet. Aug. 11. Ord. Aug. 11.

CARRICK, WILLIAM, Wigton. Carlisle. Pet. Aug. 13. Ord. Aug. 13.

CLARKE, W. J., Harringay. High Court. Pet. Feb. 18. Ord. Aug. 12.

COLP, JACOB, Balham. High Court. Pet. July 16. Ord. Aug. 12.

EVANS, E. J., Crosslaen, Glam. Cardiff. Pet. Aug. 10. Ord. Aug. 10.

FOULKES, J. E., Oswestry. Wrexham. Pet. Aug. 10. Ord. Aug. 10.

GABB, JAMES, Stockbridge. Southampton. Pet. Aug. 11. Ord. Aug. 11.

HASTON, T. and BRINDLE, P., Mossley, Chester. Ashton-under-Lyne. Pet. Aug. 12. Ord. Aug. 12.

HOBSON, C. S., Copthall-bldgs. High Court. Pet. June 8. Ord. Aug. 13.

HOWELL, ARTHUR, Manchester. Manchester. Pet. July 28. Ord. Aug. 12.

HULL, J. T., Dorchester. Dorchester. Pet. Aug. 12. Ord. Aug. 12.

LAZARUS, A. and LANGDON, C. L., Kilburn. High Court. Pet. July 11. Ord. Aug. 10.

LEMPRIERE, ELLEN, Exeter. Exeter. Pet. Aug. 12. Ord. Aug. 12.

MCGOWAN, N. M., Askern. Sheffield. Pet. Aug. 11. Ord. Aug. 11.

MASTERS, A. E., Holborn-viaduct. High Court. Pet. June 13 Ord. Aug. 10.

MAY, T. G., Denman-pl. High Court. Pet. May 25. Ord. Aug. 10.

MORRISON, ALFRED, Manchester. Manchester. Pet. Aug. 11. Ord Aug. 11.

MUSCOVITCH, HARRY, Clapham. Wandsworth. Pet. Aug. 12. Ord. Aug. 12.

NAGEL, P. C., Peckham. High Court. Pet. July 11. Ord. Aug. 10.

NAGELS & Co., Fenchurch-st. High Court. Pet. June 2. Ord. Aug. 10.

NEILSON, WILLIAM, Manchester. Manchester. Pet. Aug. 12. Ord. Aug. 12.

NIGHTINGALE, W. B., Newport. Newport (Mon). Pet. Aug. 11. Ord. Aug. 11.

OXENFORD, G. S., High Holborn. Brighton. Pet. May 24. Ord. Aug. 11.

PILKINGTON, J. A., Oldham. Rochdale. Pet. Aug. 11. Ord. Aug. 11.

POOLE, J. J. S., Chickerell Rectory. Dorchester. Pet. Aug. 10. Ord. Aug. 10.

POWELL, GEORGE, Manchester. Manchester. Pet. July 25. Ord. Aug. 12.

READ, F. B. and LINDSAY, T., Coventry. Coventry. Pet. July 23. Ord. Aug. 11.

ROBERTS, THOMAS, the younger, Timperley. Manchester. Pet. Aug. 11. Ord. Aug. 11.

SMITH, V. H., Gateshead. Newcastle-upon-Tyne. Pet. July 18. Ord. Aug. 10.

SNELL, W. L., Bromsgrove. Worcester. Pet. Aug. 10. Ord. Aug. 10.

SPRINGER, ALEXANDER, Spitalfields. High Court. Pet. July 11. Ord. Aug. 11.

SUTTON, W. T., Northleach, Glos. Cheltenham. Pet. Aug. 11. Ord. Aug. 11.

TEPE-ANSA, W., Litchfield-st. High Court. Pet. July 15. Ord. Aug. 11.

THOMAS, A. J., Risca. Newport (Mon). Pet. Aug. 13. Ord. Aug. 13.

TOOTELL, A. M., Pendleton. Manchester. Pet. July 12. Ord. Aug. 12.

WALSH, J. E., Sydenham. High Court. Pet. July 7. Ord. Aug. 11.

WHEELER, R. & SON, Manchester. Salford. Pet. July 8. Ord. Aug. 10.